

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

STATE OF TEXAS,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Action No. _____

INDEX OF DOCUMENTS ATTACHED TO DEFENDANT’S NOTICE OF REMOVAL

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

STATE OF TEXAS,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Action No. _____

LIST OF COUNSEL OF RECORD

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Attorneys for Defendant Google LLC

[Skip to Main Content](#) [Logout](#) [My Account](#) [Search Menu](#) [New Civil Search](#) [Refine Search](#) [Back](#)Location : All Courts [Help](#)**REGISTER OF ACTIONS****CASE NO. 22-01-00731****State of Texas vs. GOOGLE LLC**§
§
§
§
§Case Type: **Other Civil - Over \$250,000**
Date Filed: **01/19/2022**
Location: **457th Judicial District Court****PARTY INFORMATION****Defendant Google LLC**Registered Agent Corporation Service
Company
d/b/a CSC-Lawyers Incorporating Service
Company
211 E 7th St Ste 620
Austin, TX 78701-3218**Attorneys**
Bryce L Callahan
Retained
713-632-8000(W)R. PAUL YETTER
Retained
713-632-8000(W)**Plaintiff****State of Texas**Consumer Protection Division
PO Box 12548, MC 010
Austin, TX 78711-2548**Taylor M. Hubbard**
Retained
512-936-1308(W)**EVENTS & ORDERS OF THE COURT****OTHER EVENTS AND HEARINGS**

01/19/2022	Original Petition (OCA)		
01/19/2022	E-Filed Original Petition Document		
01/19/2022	Jury Trial Requested		
01/20/2022	Request For Service		
01/25/2022	Citation		
	Google LLC	Served	01/26/2022
		Returned	02/01/2022
01/25/2022	Signed Order		
02/01/2022	Return of Service		
02/18/2022	CANCELED Temporary Injunction (9:45 AM) (Judicial Officer Santini, Vincenzo J)		
	<i>Passed</i>		
02/22/2022	Answer		
10/03/2022	Jury Trial (9:00 AM) (Judicial Officer Santini, Vincenzo J)		

FINANCIAL INFORMATION

	Plaintiff State of Texas		
	Total Financial Assessment		358.00
	Total Payments and Credits		358.00
	Balance Due as of 02/24/2022		0.00
01/19/2022	Transaction Assessment		350.00
01/19/2022	E-File Electronic Payment Receipt # 2022-319873	State of Texas	(213.00)
01/19/2022	State Credit		(137.00)
01/20/2022	Transaction Assessment		8.00
01/20/2022	E-File Electronic Payment Receipt # 2022-320074	State of Texas	(8.00)

APP0002

22-01-00731

NO. _____

THE STATE OF TEXAS
Plaintiff,

v.

GOOGLE LLC
Defendant.§
§
§
§
§
§
§**IN THE DISTRICT COURT**

Montgomery County - 457th Judicial District Court

____ **JUDICIAL DISTRICT****MONTGOMERY COUNTY, TEXAS****PLAINTIFF'S ORIGINAL PETITION**

Plaintiff, the STATE OF TEXAS ("State"), acting by and through the Attorney General KEN PAXTON and on behalf of the public interest, files this petition complaining of Defendant, GOOGLE LLC ("Google"). In this action, the State alleges that Google engaged in false, misleading, and deceptive acts and practices in violation of § 17.46 of the Texas Deceptive Trade Practices—Consumer Protection Act ("DTPA"), Tex. Bus. & Com. Code §§ 17.41–17.63. In support hereof, the State will respectfully show the Court the following:

NATURE OF THE CASE

Google hired media companies, including iHeartMedia, to record and broadcast advertisements in the Dallas-Fort Worth ("DFW") and Houston, Texas markets, promoting the Pixel 4, a smartphone sold by Google. Google provided a script for the Pixel 4 advertisements and demanded that the radio personalities recording the advertisements give a first-hand endorsement of the product. Google knew that the Pixel 4 was not yet on the market and so the radio personalities could not provide an honest endorsement. iHeartMedia recognized Google's script as misleading, conveyed its concern over the deceptive nature of the advertisements to Google, and sought to have Google provide Pixel 4 phones to the radio personalities recording the advertisements. Google, however, refused to cooperate with the ameliorative efforts suggested by

APP0003

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AND CORRECT COPY
Montgomery County District Clerk
PAGE 1 of 13
February 24, 2022
month day year Initials
VW

iHeartMedia to prevent the advertisements from being deceptive. Instead, Google demanded the recording and broadcast of the advertisements using Google's scripted and deceptive wording.

DISCOVERY CONTROL PLAN

1. Plaintiff intends to conduct discovery under Level 3 pursuant to Texas Rule of Civil Procedure 190.4. This case is not subject to the restrictions of expedited discovery under Texas Rule of Civil Procedure 169 because the potential relief sought by the State in this action includes a claim for nonmonetary injunctive relief and claims for monetary relief including penalties, consumer redress, and attorneys' fees in excess of \$1,000,000.

DEFENDANT

2. Defendant, Google LLC is a Delaware limited liability company with its principal place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043. Google may be served through its registered agent at the following address: Corporation Service Company, d/b/a CSC – Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701-3218.

JURISDICTION AND VENUE

3. This enforcement action is brought by Attorney General Ken Paxton, through his Consumer Protection Division, in the name of the STATE OF TEXAS and in the public interest pursuant to the authority granted by § 17.47 of the DTPA upon the grounds that the Defendant has engaged in false, deceptive, and misleading acts practices in the course of trade and commerce as defined in, and declared unlawful by, § 17.46(a) and (b) of the DTPA.

4. In enforcement suits filed pursuant to § 17.47 of the DTPA, the Attorney General is authorized to seek, *inter alia*, civil penalties and redress for consumers and injunctive relief.

5. Venue of this suit lies in Montgomery County, Texas under § 17.47(b) of the DTPA, because transactions made part of this suit occurred in Montgomery County, Texas, and Google and has engaged in trade and commerce in Montgomery County, Texas.

PUBLIC INTEREST

6. Plaintiff has reason to believe that Defendant has engaged in and will continue to engage in the unlawful practices set forth in this petition.

7. Therefore, the Consumer Protection Division of the Office of the Attorney General of Texas believes and is of the opinion that these proceedings are in the public interest.

TRADE AND COMMERCE

8. At all times described below, Defendant and its agents has engaged in conduct which constitutes "trade" and "commerce" defined in § 17.45(6) of the DTPA as follows:

“Trade” and “commerce” mean the advertising, offering for sale, sale, lease, or distribution of any good or service, of any property, tangible or intangible, real, personal, or mixed, and any other article, commodity, or thing of value, wherever situated, and shall include any trade or commerce directly or indirectly affecting the people of this state.”

ACTS OF AGENTS

9. Whenever in this Petition it is alleged that Defendant did any act, it is meant that the named Defendant performed or participated in the act, or the named Defendant’s officers, agents, partners, trustees, or employees performed or participated in the act on behalf of and under the authority of the Defendant.

SPECIFIC FACTUAL ALLEGATIONS

Google hired iHeartMedia to record and broadcast deceptive advertisements promoting the Pixel 4 smartphone.

10. Google is a global technology company which, in addition to offering a myriad of internet-based services, also sells products, including smartphones, smart-TV devices, speakers and Wi-Fi routers. In late-October 2019 Google began marketing and selling a smartphone known as the Pixel 4, the latest incarnation in Google's line of Pixel smartphones. According to Google, Pixel 4 featured a technology called "Night Sight Mode" which resulted in improved color and lighting for photographs taken in low-light conditions and an enhanced "Google Assistant."

11. iHeartMedia is the single largest owner of radio stations in the United States, with over eight hundred and fifty (850) full-power AM and FM radio stations throughout the country, and seventy-two (72) stations in Texas, alone. iHeartMedia's radio network is known as "iHeartRadio." iHeartMedia employs on-air radio personalities ("iHeartRadio Personalities") who often record advertisements for broadcasting in their respective local markets.

12. Through Google's media buying agent, Google hired iHeartMedia in October 2019 to have its iHeartRadio Personalities, including iHeartRadio Personalities in the DFW and Houston markets, record advertisements for the Pixel 4 and then to broadcast the advertisements on its iHeartMedia radio stations in those markets.

Google scripted and then maintained creative control over the Pixel 4 advertisements recorded by and then aired on iHeartMedia.

13. As is customary in the advertising industry, Google retained creative control of the "ad-reads" and the ability to reject a recording and demand a re-recording if the iHeart Radio Personality did not record a specific advertisement to Google's exacting standards.

14. Google controlled nearly every aspect of the tone, style and content of the ad-read including the speed of the speaker's voice, whether a "musical bed" should be played in the background, and the wording used.

15. Google provided a script for the iHeartRadio Personalities to read during the recording of the advertisements. The script reflected a first-person account of using the Pixel 4. Based verbatim or nearly identically on Google's script, iHeartRadio Personalities touted the Pixel 4's advanced features in various social settings and how the Pixel 4 had personally and meaningfully impacted the iHeartRadio Personality.

16. Google's typical script read as follows:

The only thing I love more than taking the perfect photo? Taking the perfect photo at night.

With Google Pixel 4 both are a cinch.

It's my favorite phone camera out there, especially in low light, thanks to Night Sight Mode.

I've been taking studio-like photos of everything...my son's football game... a meteor shower... a rare spotted owl that landed in my backyard. Pics or it didn't happen, am I right?

Pixel 4 is more than just great pics. It's also great at helping me get stuff done, thanks to the new voice activated Google Assistant that can handle multiple tasks at once.

I can read up on the latest health fads, ask for directions to the nearest goat yoga class (yes, that's a thing), and text the location to mom hands-free ...

17. Any deviation from Google's scripted material had to be approved by Google or its agent. On October 22, 2019, an iHeartMedia employee sent an email to Google's media buying agent requesting permission to have iHeartRadio Personalities "customize certain parts of the

script pending what's relevant to their personal lives (i.e. if they have kids, involved in certain activities/hobbies, etc.).” This slight alteration was approved by Google’s media buying agent.¹

18. This customization allowed by Google was conveyed by iHeartMedia to its iHeartRadio Personalities in Houston with the caveat that Google is “very strict on saying the script exact.”²

iHeartMedia requested sample Pixel 4s for the iHeartRadio Personalities to use in order to authenticate Google’s requested endorsements; Google refused.

19. In the days leading up to the release of the Pixel 4 and the corresponding ad-campaign, iHeartMedia, expressed to Google the violative nature of the advertisements as Google required them to be recorded and conveyed the pushback iHeartMedia was receiving from some markets regarding the personal endorsement of a product that had never been seen, touched, or used by the endorser. In an effort to ameliorate this issue, iHeartMedia requested that Google provide sample Pixel 4s for its iHeartRadio Personalities to use. On October 22, 2019, an iHeartMedia employee wrote to Google’s media buying agent:

I know this has been something that we have brought up numerous times, but it’s something that we really need to get to our voicing talent, especially if we want them to use their own first person tense when voicing ... We ... cannot require talent to use “I” in voiced spots when they have not physically used the product (this could become an issue with FCC regulations). For this reason, we may receive spots from stations that adjust the tense slightly to remove the personalization of “I.” ... We understand that timeliness would likely not happen prior to launch as that’s only a few days away, but are we able to secure Pixel 4 devices for our voicing talent?³

20. Google was aware of the need to provide sample product to endorsers in order to allow the iHeartRadio personalities to honestly endorse the phones. Nevertheless, Google ignored

¹ Email from PHD Media to iHeartMedia, Dated October 22, 2019.

² Email from iHeartMedia to iHeartRadio Personalities Dated October 22, 2019.

³ Email from iHeartMedia to PHD Media, dated October 22, 2019.

iHeartMedia's warning, opting instead to move forward with the ad-campaign to coincide with the launch of the Pixel 4. As explained by Google's agent:

Just heard back from [Google] in regards to sending Pixels to your talent. Unfortunately, this is not feasible for [Google] at this time as the product is not on shelves yet. It would take over a week to ship all of these phones out resulting in a loss of airtime.⁴

21. Following Google's refusal, eight (8) iHeartRadio Personalities, each on different radio stations in the DFW and Houston markets, recorded advertisements for the Pixel 4. The advertisements aired Two Thousand Four Hundred and Five (2,405) times between October 28, 2019, and December 2, 2019.

22. The iHeartRadio Personalities used first-person language identical or substantially similar to that in the script described in Paragraph 16.

23. Moreover, some of the iHeartRadio Personalities personalized the advertisements describing how they had used or currently use the Pixel 4. For example, one iHeartRadio Personality in Dallas described how he uses the Pixel 4 to take photographs of his "little dog Baxter," his "nieces and nephews" and all his "friends acting crazy." Another in Houston elaborated on how the Google Assistant helps him "ask for directions to the nearest club or concert venue and text the location to my third ex-wife."

24. At the time the advertisements were recorded, the iHeartRadio Personalities did not own or regularly use Pixel 4 smartphones; had not taken photographs at night with the Pixel 4 and had not used the Pixel 4's features for the variety of personal, social, and familial events that the advertisements represented. The Pixel 4 was not released until October 24, 2019. iHeartMedia began recording the Pixel 4 advertisements the week of October 21, 2019.

⁴ Email from PHD Media to iHeartMedia, dated October 23, 2019.

Google's pattern of requiring personal endorsements and refusing to provide sample product continues.

25. The iHeartMedia ad-campaign for the Pixel 4 in Texas markets ended in December 2019. In late-January 2020, Google again hired iHeartMedia to record and air advertisements promoting the Pixel 4 in five (5) non-Texas markets across the United States. iHeartMedia again reached out to Google and requested sample Pixel 4 smartphones. Google again refused to provide sample Pixel 4s. After Google's refusal, iHeartMedia then offered to buy Pixel 4s from Google. Finally, Google relented, sending iHeartMedia five (5) used Pixel 4s. This continued pattern of behavior demonstrates the blatant disregard Google possesses for true and accurate advertising in the marketing and sale of its products.

VIOLATIONS OF THE DTPA

26. Plaintiff incorporates and adopts by reference the allegations contained in each and every preceding paragraph of this petition.

27. Defendant, as alleged above and detailed below, has in the course of trade and commerce engaged in false, misleading and deceptive acts and practices declared unlawful in § 17.46(a) and (b) of the DTPA, including but not limited to:

- a. Causing confusion or misunderstanding as to the source, sponsorship, approval or certification of goods or services, in violation of DTPA § 17.46(b)(2); or
- b. causing confusion or misunderstanding as to affiliation, connection, or association with, or certification by, another (§ 17.46(b)(3));
- c. representing that goods or services have sponsorship, approval, characteristics, or benefits which they do not have or that a person has a sponsorship, approval, status, affiliation, or connection which the person does not (§ 17.46(b)(5));

- d. representing that the goods or services are of a particular standard, quality, or grade, if they are of another (§ 17.46(b)(7));
- e. Failing to disclose information concerning goods or services which was known at the time of the transaction if such failure to disclose such information was intended to induce the consumer into a transaction into which the consumer would not have entered had the information been disclosed, by failing to adequately disclose that the paid endorsers of the Pixel 4 did not own or possess the Pixel 4 and did not use it in the manner represented in advertisements in violation of DTPA § 17.46(b)(24).

28. Defendant, in addition to and as alleged above, in the course and conduct of trade and commerce, has directly or indirectly engaged in false, misleading, and deceptive acts and practices declared to be unlawful by the DTPA by:

- a. Drafting, paying for, and/or causing to be broadcast advertisements that do not reflect the honest opinions, beliefs or experience of the endorser;⁵
- b. Drafting, paying for, and/or causing to be broadcast advertisements that convey express representations, made by an endorser, that would be deceptive if made directly by the Defendant;
- c. Drafting, paying for, and/or causing to be broadcast advertisements that distort the endorser's experience with a product;

⁵ See DTPA § 17.46(c)(1) which states, "It is the intent of the legislature that in construing Subsection (a) of this section in suits brought under Section 17.47 of this subchapter the courts to the extent possible will be guided by Subsection (b) of this section and the interpretations given by the Federal Trade Commission and federal courts to Section 5(a)(1) of the Federal Trade Commission Act."

- d. Drafting, paying for, and/or causing to be broadcast advertisements which use a celebrity when it does not have reason to believe that the celebrity endorser subscribes to the views presented;
- e. Drafting, paying for, and/or causing to be broadcast advertisements that represent that an endorser uses the endorsed product, when the endorser is not a bona fide user of the product.

**APPLICATION FOR TEMPORARY INJUNCTION
AND PERMANENT INJUNCTION**

29. The State believes that Defendant is engaging in, has engaged in, or are about to engage in, acts and practices declared to be unlawful under the DTPA. For example, by continuing to create and broadcast advertisements which contain false endorsements and deceptive information, Defendant is manipulating the marketplace. Customers, who might otherwise make a purchase from one of Google's competitors, are induced through false representations to purchase Google products, instead.

30. Plaintiff believes these proceedings to be in the public interest. Therefore, pursuant to DTPA §17.47(a), Plaintiff requests relief by way of a Temporary Injunction and a Permanent Injunction as set forth in the Prayer.

WRIT TO ISSUE WITHOUT BOND

31. The State requests that the Clerk of the Court issue such Writs of Injunction pursuant to any Injunction issued by this Court in conformity with the law, and that same be issued and be effective without the execution and filing of a bond as Plaintiff, the State of Texas, is exempt from such bonds under § 17.47(b) of the Texas Business and Commerce Code.

TRIAL BY JURY

32. The State herein requests a jury trial and tenders the jury fee to the Montgomery County District Clerk's office, pursuant to Rule 216 of the Texas Rules of Civil Procedure and under § 51.604 of the Texas Government Code.

CONDITIONS PRECEDENT

33. All conditions precedent to State's claims for relief have been performed or have occurred.

PRAYER

34. The State prays that Google be cited according to law to appear and answer herein and that after due notice and hearing a temporary injunction be issued, and that upon final hearing a permanent injunction be issued, restraining and enjoining Google, its officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with Google who receive actual notice of the injunction by personal service or otherwise from engaging in false, misleading, or deceptive acts and practices declared to be unlawful by the DTPA, including but not limited to:

- a. Drafting, paying for, and/or causing to be broadcast advertisements that do not reflect the honest opinions, beliefs or experience of the endorser;
- b. Drafting, paying for, and/or causing to be broadcast advertisements that convey express representations, made by an endorser, that would be deceptive if made directly by Google;
- c. Drafting, paying for, and/or causing to be broadcast advertisements that distort the endorser's experience with a product;

- d. Drafting, paying for, and/or causing to be broadcast advertisements which use a celebrity when it does not have reason to believe that the celebrity endorser subscribes to the views presented;
 - e. Making any misrepresentation, expressly or by implication, about the status of any endorser or person providing a review of a product or service;
 - f. Drafting, paying for, or causing to be broadcast any advertisement that represents, expressly or by implication, that an endorser used or uses a product or service, when the endorser is not a bona fide user of the product or service;
 - g. Causing confusion or misunderstanding as to the source, sponsorship, approval or certification of goods or services; or
 - h. Failing to disclose information concerning goods or services which was known at the time of the transaction if such failure to disclose such information was intended to induce the consumer into a transaction into which the consumer would not have entered had the information been disclosed.
35. Plaintiff further prays that this Court will:
- a. Order Defendant to pay civil penalties not to exceed \$10,000 per violation of the DTPA to the State of Texas;
 - b. Order Defendant to pay pre-judgment and post-judgment interest on all money awards as provided by law; and
 - c. Grant a Judgment against the Defendant and order the Defendant to pay the State's attorneys' fees and costs of Court, as provided by the laws of the State of Texas, including but not limited to, Tex. Gov't Code § 402.006(c).

36. Plaintiff prays that the State receive such other and further relief to which it is justly entitled.

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

GRANT DORFMAN
Deputy First Assistant Attorney General

SHAWN E. COWLES
Deputy Attorney General for Civil Litigation

STEVEN ROBINSON
Division Chief, Consumer Protection Division

/s/Taylor M. Hubbard

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Fax: 713-223-5821

ATTORNEYS FOR THE STATE OF TEXAS

State of Texas, County of Montgomery, I, Melisa Miller, District
Clerk of Montgomery County, Texas Certify 13 pages in
cause no. 22-01-00731 as a true
and correct copy of the original record electronically or
physically filed in my office, as it appears on this date.

Witness my official hand and seal of office, this
the 24 day of February, 2022.

Signed Valerie J. Williams
Clerk or Deputy

1/20/2022 11:25 AM

Melisa Miller, District Clerk

Montgomery County, Texas

Deputy Clerk, Kori Rauen



Request for Service

Montgomery County District Clerk

CASE NUMBER: 22-01-00731 CURRENT COURT: 457th Judicial District Court

Name(s) of Documents to be served: Plaintiff's Original Petition

FILE DATE of document(s) to be served: 1/19/22 Month/Day/Year

SERVICE TO BE ISSUED ON (Please List Exactly as The Name Appears in The Pleading to Be Served):

Issue Service to: Google LLC

Address of Service: 211 E. 7th Street, Suite 620

City, State & Zip: Austin, TX 78701-3218

Agent (if applicable): Corporation Service Company, d/b/a CSC Lawyers Incorporating Service Company

☐ Check here to have citation addressed to wherever the addressee may be found.

TYPE OF SERVICE/PROCESS TO BE ISSUED: (Check the appropriate box)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Citation for Personal Service | <input type="checkbox"/> Secretary of State Citation (\$12.00) | <input type="checkbox"/> Civil Injunction/TRO |
| <input type="checkbox"/> Citation by Posting | <input type="checkbox"/> Highway Commission (\$12.00) | <input type="checkbox"/> Precept |
| <input type="checkbox"/> Citation by Publication | <input type="checkbox"/> Commissioner of Insurance (\$12.00) | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Citation Scire Facias | <input type="checkbox"/> Capias (not an E-Issuance) | <input type="checkbox"/> Other (Please describe) |
| <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Temporary Restraining Order (Family) | |
| <input type="checkbox"/> Writ of Sequestration | <input type="checkbox"/> Temporary Ex Parte Protective Order | |
| <input type="checkbox"/> Writ of Attachment | <input type="checkbox"/> Notice of Appl. For Protective Order | |
| <input type="checkbox"/> Writ of Habeas Corpus | <input type="checkbox"/> Notice of Hearing/Show Cause | |
| <input type="checkbox"/> Notice of Foreign Judgment (UIFSA) | | (See additional forms for Post Judgment Service) |
| <input type="checkbox"/> Notice of Foreign Judgment (UCCJEA) (by certified mail service) | | |
| <input type="checkbox"/> Writ of Withholding (\$15.00 - certified mail by District Clerk only) | | |
| <input type="checkbox"/> Notice of Termination of Child Support (\$15.00 - certified mail by District Clerk only) | | |

SERVICE BY: (Check the appropriate box.)

☒ E-Issuance by District Clerk (No Service Copy Fees Charged) (Note:) CAPIAS is not an E-Issuance Option

*Citations returned electronically will be e-served through E-file Texas to requesting attorney/pro se.

- ☐ ATTORNEY PICK-UP (phone or email contact): _____
- ☐ MAIL to attorney at Attorney of Record's address on file in case record.
- ☐ CERTIFIED MAIL by District Clerk
- ☐ Regular Mail (only available for Expedited Foreclosures and UIFSA Foreign Judgments)
- ☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____
- ☐ OTHER, explain: _____

Issuance of Service requested by:

Attorney/Party Name: Taylor Hubbard

Bar# or ID: 24124803

Mailing Address: P. O. Box 12548, MC - 010, Austin, Texas 78711-2548

Phone Number: 512-936-1308

State of Texas, County of Montgomery, I, Melisa Miller, District Clerk of Montgomery County, Texas Certify 1 pages in cause no. 22-01-00731 as a true and correct copy of the original record electronically or physically filed in my office, as it appears on this date. Witness my official hand and seal of office, this the 24 day of February, 2022. Signed Valerie U. Williams Clerk or Deputy

CITATION

Cause Number: 22-01-00731

Clerk of the Court
Melisa Miller
P.O. Box 2985
Conroe, Texas 77305

Attorney Requesting Service
Taylor M. Hubbard
Office of the Attorney General of Texas
Consumer Protection Division
PO Box 12548 MC - 010
Austin TX 78711-2548

THE STATE OF TEXAS

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at [TexasLawHelp.org](https://www.texaslawhelp.org).

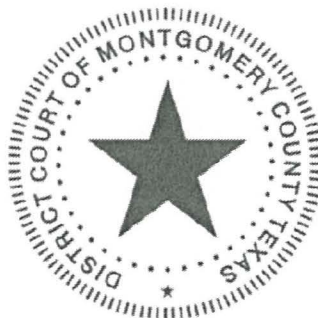
To: Google LLC
Registered Agent Corporation Service Company
d/b/a CSC-Lawyers Incorporating Service Company
211 E 7th St Ste 620
Austin TX 78701-3218

The attached Plaintiff's Original Petition was filed on the 19th day of January, 2022, in 457th Judicial District Court, located at the Montgomery County Courthouse in Conroe, Texas, numbered 22-01-00731, and includes the following parties: State of Texas, plaintiff(s), and Google LLC, defendant(s).

Issued and given under my hand and seal of said Court at Conroe, Texas on this the 25th day of January, 2022.

Melisa Miller, District Clerk
Montgomery County, Texas

By: Patricia Morrill
Patricia Morrill, Deputy



APP0018

CERTIFIED TO BE A TRUE
AND CORRECT COPY
Montgomery County District Clerk
PAGE 1 of 2
February 24, 2022
month day year
Initials

OFFICER'S RETURN

Cause No. 22-01-00731

Court No: 457th Judicial District Court

Style: State of Texas vs. GOOGLE LLC

To: Google LLC

Address: Registered Agent Corporation Service Company
 d/b/a CSC-Lawyers Incorporating Service Company
 211 E 7th St Ste 620
 Austin TX 78701-3218

Came to hand the ____ day of _____, 20__, at _____ o'clock, and executed in _____ County, Texas by delivering to each of the within named defendants in person, a true copy of this citation with the date of delivery endorsed thereon, together with the accompanying copy of the Plaintiff's Original Petition at the following times and places, to wit:

Name	Date/Time	Place, Course and distance from Courthouse
_____	_____	_____

Manner of service: _____

*And not executed as to the defendant(s) _____
 The _____ diligence used in finding said defendant(s) being:

And the cause of failure to execute this process is:

And information received as to the whereabouts of said defendant(s) being: _____

FEES:

Serving Petition and Copy \$ _____

TOTAL \$ _____

 _____ OFFICER
 _____ County, Texas
 By: _____, Deputy

AFFIANT

Complete if you are a person other than a Sheriff, Constable, or Clerk of the Court. In accordance with Rule 107: the officer, or authorized person who services, or attempts to serve a citation shall sign and return. The return must either be verified or be signed under penalty of perjury.

A return signed under penalty of perjury must contain the statement below in substantially the following form:

My full name is _____

My date of birth is ____/____/____, and my address is _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE
 FOREGOING IS TRUE AND CORRECT

Executed in _____, County, State of _____,
 on the ____ day of _____, 20__.

Declarant/Authorized Process Server _____

ID# & Exp. Of Certification _____

State of Texas, County of Montgomery, I, Melisa Miller, District
 Clerk or Montgomery County, Texas Certify 2 pages in
 cause no. 22-01-00731 as a true
 and correct copy of the original record electronically or
 physically filed in my office, as it appears on this date.
 Witness my official hand and seal of office, this
 the 24 day of February, 2022.
 Signed Valerie G. Williams
 Clerk or Deputy

Declarant/Authorized Process Server _____

ID# & Exp. Of Certification _____

SWORN AND SUBSCRIBED ON _____

DATE _____

NOTARY _____

RECEIVED AND FILED
FOR RECORD

1/25/2022 3:07 PM

Isaacks, NancyMelisa Miller, District Clerk
Montgomery County, Texas

From: Isaacks, Nancy
Sent: Tuesday, January 25, 2022 3:06 PM
To: taylor.hubbard@oag.texas.gov
Cc: Miller, PJ; Hayden, Jennifer
Subject: 22-01-00731 State of Texas vs. GOOGLE LLC
Attachments: 457th Order Setting Temporary Injunction Hearing.pdf

Importance: High

Good Afternoon,

Attached you will find a notice for a TI hearing set by the court on the above mentioned case.

Thank you and have a great day,

Nancy Isaacks

Court Coordinator I
457th District Court
Vincenzo J. Santini, Judge Presiding
301 N. Main, Suite 200
Conroe, Tx 77301
936-538-3697 office

State of Texas, County of Montgomery, I, Melisa Miller, District
Clerk of Montgomery County, Texas Certify 1 pages in
cause no. 22-01-00731 as a true
and correct copy of the original record electronically or
physically filed in my office, as it appears on this date.
Witness my official hand and seal of office, this
the 24 day of February, 2022.
Signed Valerie Y. Williams
Clerk of Deputy

1/25/2022 3:07 PM

Melisa Miller, District Clerk
Montgomery County, Texas

CAUSE NO. 22-01-00731

STATE OF TEXAS

vs.

GOOGLE LLC

§
§
§
§
§IN THE DISTRICT COURT OF
MONTGOMERY COUNTY, TEXAS
457TH JUDICIAL DISTRICT**ORDER SETTING TEMPORARY INJUNCTION HEARING**

It is ORDERED that Plaintiff's Request for a Temporary Injunction shall be heard before the Judge of the above-named Court on **February 18, 2022** at **9:45 AM** in the 457th Judicial District Court of Montgomery County, Texas, Conroe, Texas.

The Clerk of the Court is hereby directed to issue a notice to Defendant to appear at the temporary injunction hearing. The purpose of the hearing will be to determine whether the temporary injunction requested by Plaintiff in its Original Petition should be entered pending a trial on the merits.

SO ORDERED on January 25, 2022.


VINCENZO J. SANTINI
Judge Presiding

State of Texas, County of Montgomery, I, Melisa Miller, District Clerk of Montgomery County, Texas Certify 1 pages in cause no. 22-01-00731 as a true and correct copy of the original record electronically or physically filed in my office, as it appears on this date. Witness my official hand and seal of office, this the 24 day of February, 2022.
Signed Valerie Y. Williams
Clerk or Deputy



6095769

CASE NO.: 22-01-00731

State of Texas,

IN THE

vs.

MONTGOMERY COUNTY 457TH DISTRICT COURT

Google LLC,MONTGOMERY COUNTY, TXRETURN OF SERVICEI, Peter Dowdle, do state that the following is true and correct:

That I am over the age of eighteen, not a party to this suit, and have no interest in the outcome of the suit. I have met the criteria and I am authorized to serve process in the State of Texas.

On January 25, 2022 at 11:13 AM, I received a Citation with Plaintiff's Original Petition to be delivered to Google LLC, Registered Agent Corporation Service Co dba CSC-Lawyers Incorporating Service Co at 211 E. 7th St., Ste. 620, Austin, TX 78701.

That on January 26, 2022 at 11:32 AM, I delivered said documents to Google LLC, Registered Agent Corporation Service Co dba CSC-Lawyers Incorporating Service Co by delivery to Evie Lichtenwalter, Person Authorized to Accept Service at 211 E. 7th St., Ste. 620, Austin, TX 78701.

Description of Person Accepting Service:

Sex: Female Race: White Height: 5ft 9in Weight: 280 Hair: Brown

Military Status: NO

Marriage Status: N/A

My name is Peter Dowdle, my date of birth is 05/13/1977, and EZ Messenger's address is

9210 S. Western Avenue Suite A-3, Oklahoma City, OK73139, USA.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in TRAVIS County, State of TX on January 27, 2022.

EZ MESSENGER

9210 S. Western Avenue Suite A-3

Oklahoma City, OK73139

214-748-4200

txupdates@ezmessenger.com

Client File #: CX2679698390

Texas Office of the Attorney General

Consumer Protection Division - San Antonio

CERTIFIED TO BE A TRUE
 AND CORRECT COPY
 Montgomery County District Clerk
 PAGE 1 of 4
 February 24, 2022
 month day year
 Initials

Peter Dowdle Declarant
 PSC: 9210; EXP: 09/30/2023

Total Service Costs: \$ 0.00

APP0022

CITATION

Cause Number: 22-01-00731

Clerk of the Court
Melisa Miller
P.O. Box 2985
Conroe, Texas 77305

Attorney Requesting Service
Taylor M. Hubbard
Office of the Attorney General of Texas
Consumer Protection Division
PO Box 12548 MC - 010
Austin TX 78711-2548

THE STATE OF TEXAS

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at [TexasLawHelp.org](https://www.texaslawhelp.org).

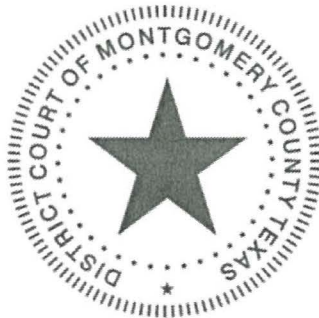
To: Google LLC
Registered Agent Corporation Service Company
d/b/a CSC-Lawyers Incorporating Service Company
211 E 7th St Ste 620
Austin TX 78701-3218

The attached Plaintiff's Original Petition was filed on the 19th day of January, 2022, in 457th Judicial District Court, located at the Montgomery County Courthouse in Conroe, Texas, numbered 22-01-00731, and includes the following parties: State of Texas, plaintiff(s), and Google LLC, defendant(s).

Issued and given under my hand and seal of said Court at Conroe, Texas on this the 25th day of January, 2022.

Melisa Miller, District Clerk
Montgomery County, Texas

By: Patricia Morrill
Patricia Morrill, Deputy



APP0023

CERTIFIED TO BE A TRUE
AND CORRECT COPY
Montgomery County District Clerk
PAGE 2 of 4
February 24, 2022
month day year Initials

OFFICER'S RETURN

Cause No. 22-01-00731

Court No: 457th Judicial District Court

Style: State of Texas vs. **GOOGLE LLC**

To: Google LLC

Address: Registered Agent Corporation Service Company
 d/b/a CSC-Lawyers Incorporating Service Company
 211 E 7th St Ste 620
 Austin TX 78701-3218

Came to hand the ____ day of _____, 20__, at _____ o'clock, and executed in _____ County, Texas by delivering to each of the within named defendants in person, a true copy of this citation with the date of delivery endorsed thereon, together with the accompanying copy of the Plaintiff's Original Petition at the following times and places, to wit:

Name	Date/Time	Place, Course and distance from Courthouse
_____	_____	_____

Manner of service: _____

*And not executed as to the defendant(s) _____

The diligence used in finding said defendant(s) being:

And the cause of failure to execute this process is:

And information received as to the whereabouts of said defendant(s) being:

FEES:

Serving Petition and Copy \$ _____

TOTAL \$ _____

 _____ OFFICER
 _____ County, Texas
 By: _____, Deputy

AFFIANT

Complete if you are a person other than a Sheriff, Constable, or Clerk of the Court. In accordance with Rule 107: the officer, or authorized person who services, or attempts to serve a citation shall sign and return. The return must either be verified or be signed under penalty of perjury.

A return signed under penalty of perjury must contain the statement below in substantially the following form:

My full name is _____

My date of birth is ____/____/____, and my address is _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE
 FOREGOING IS TRUE AND CORRECT

Executed in _____, County, State of _____,
 on the ____ day of _____, 20__.

Declarant/Authorized Process Server

ID# & Exp. Of Certification

Declarant/Authorized Process Server

ID# & Exp. Of Certification

SWORN AND SUBSCRIBED ON

DATE

NOTARY

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 61353816

Status as of 2/2/2022 8:11 AM CST

Associated Case Party: State of Texas

Name	BarNumber	Email	TimestampSubmitted	Status
Taylor Hubbard		taylor.hubbard@oag.texas.gov	2/1/2022 2:45:25 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
efiletx @ezmessenger.com		efiletx@ezmessenger.com	2/1/2022 2:45:25 PM	SENT

State of Texas, County of Montgomery, I, Melissa Miller, District Clerk of Montgomery County, Texas Certify 4 pages in cause no. 22-01-00731 as a true and correct copy of the original record electronically or physically filed in my office, as it appears on this date. Witness my official hand and seal of office, this the 24 day of February, 2022.
Signed Valecie Y. Williams
Clerk or Deputy

No. 22-01-00731

THE STATE OF TEXAS,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
v.	§	MONTGOMERY COUNTY, TEXAS
	§	
GOOGLE LLC,	§	
	§	
Defendant.	§	457TH JUDICIAL DISTRICT

DEFENDANT'S ORIGINAL ANSWER

Through its counsel, defendant Google LLC files this Original Answer to the petition of plaintiff State of Texas and, based upon actual knowledge as to itself and its own actions and upon information and belief as to all other persons and actions, responds as follows:

GENERAL DENIAL

1. Pursuant to Texas Rule of Civil Procedure 92, Google denies each allegation in the petition and requests that the Court require the State to prove its allegations by a preponderance of the credible evidence, as required by the Constitution and laws of this State.

2. Google reserves its right to amend its Answer, as is its right under the Rules of Civil Procedure and laws of this State.

OTHER DEFENSES

3. These claims fail to state a claim upon which relief may be granted.

4. Plaintiff lacks the requisite standing to bring the claims alleged in the Petition.

PRAYER

Defendant Google LLC respectfully prays that the Court render judgment that plaintiff takes nothing in this suit and that Google be awarded all other relief to which it is justly entitled.

Defendant's Original Answer Page 1

Dated: February 22, 2022


R. Paul Yetter
State Bar No. 22154200
Bryce L. Callahan
State Bar No. 24055248
YETTER COLEMAN LLP
811 Main Street, Suite 4100
Houston, Texas 77002
(713) 632-8000
pyetter@yettercoleman.com
bcallahan@yettercoleman.com

ATTORNEYS FOR DEFENDANT GOOGLE LLC

CERTIFICATE OF SERVICE

I certify that on this 22nd day of February 2022, the foregoing was served by e-mail and/or by electronic filing service on counsel of record.

/s/ Bryce L. Callahan
Bryce L. Callahan

APP0027

Defendant's Original Answer Page 2

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AND CORRECT COPY
Montgomery County District Clerk
PAGE 2 of 3
February 24, 2022
month day year Initials

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Courtney Smith on behalf of R. Yetter
 Bar No. 22154200
 csmith@yettercoleman.com
 Envelope ID: 61950483
 Status as of 2/22/2022 2:26 PM CST

Associated Case Party: State of Texas

Name	BarNumber	Email	TimestampSubmitted	Status
Taylor Hubbard		taylor.hubbard@oag.texas.gov	2/22/2022 9:41:03 AM	SENT

Associated Case Party: Google LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Bryce Callahan		bcallahan@yettercoleman.com	2/22/2022 9:41:03 AM	SENT
R. Paul Yetter		pyetter@yettercoleman.com	2/22/2022 9:41:03 AM	SENT
Courtney Smith		csmith@yettercoleman.com	2/22/2022 9:41:03 AM	SENT
Heaven Chee		hchee@yettercoleman.com	2/22/2022 9:41:03 AM	SENT
Ali Shan Ali Bhai		asalibhai@yettercoleman.com	2/22/2022 9:41:03 AM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
efiletx @ezmessenger.com		efiletx@ezmessenger.com	2/22/2022 9:41:03 AM	SENT

State of Texas, County of Montgomery, I, Melisa Miller, District Clerk of Montgomery County, Texas Certify 3 pages in cause no. 22-61-60731 as a true and correct copy of the original record electronically or physically filed in my office, as it appears on this date. Witness my official hand and seal of office, this the 24 day of February, 2022.
 Signed Valerie Y. Williams
 Clerk or Deputy

Isaacks, Nancy

From: Isaacks, Nancy
Sent: Wednesday, February 23, 2022 1:09 PM
To: taylor.hubbard@oag.texas.gov; bcallahan@yettercoleman.com
Cc: Mitzie.Garner@oag.texas.gov
Subject: 22-01-00731 State of Texas vs. GOOGLE LLC
Attachments: 457th - Docket Control Order.pdf

Importance: High

Attached please find the Court's Docket Control Order issued in the referenced case. This Order is being sent to you using the service email address on file with the Montgomery County District Clerks office.

Thank you,

Nancy Isaacks

Court Coordinator I
457th District Court
Vincenzo J. Santini, Judge Presiding
301 N. Main, Suite 200
Conroe, Tx 77301
936-538-3697 office

State of Texas, County of Montgomery, I, Melisa Miller, District Clerk of Montgomery County, Texas Certify 1 pages in cause no. 22-01-00731 as a true and correct copy of the original record electronically or physically filed in my office, as it appears on this date. Witness my official hand and seal of office, this the 24 day of February, 2022.
Signed Valerie Y. Williams
Clerk or Deputy

CAUSE NO. 22-01-00731

STATE OF TEXAS	§	IN THE DISTRICT COURT OF
vs.	§	MONTGOMERY COUNTY, TEXAS
GOOGLE LLC	§	457 TH JUDICIAL DISTRICT

DOCKET CONTROL ORDER

IT IS ORDERED that this **Docket Control Order** shall control the disposition of this matter; the Texas Rules of Civil Procedure shall control in computing any period of time not addressed within this Order; and any date that falls on a weekend or legal holiday (as determined by the Montgomery County Commissioners Court) shall be moved to the first business day thereafter.

IT IS ORDERED THAT THE PLAINTIFF MUST IMMEDIATELY SEND A COPY OF THIS DOCKET CONTROL ORDER, BY A METHOD PRESCRIBED BY RULE 21a, TO EACH AND EVERY PARTY ANSWERING OR OTHERWISE APPEARING IN THIS CASE AFTER THE DATE THIS ORDER IS SIGNED.

1. **PLEADING DEADLINE:** **150 DAYS BEFORE TRIAL**
All amendments and supplements to pleadings must be filed by this date.
2. **EXPERT WITNESS DESIGNATION:**
A list shall be filed which includes each expert's name, address, telephone number, the subject of the testimony, and the opinions that will be proffered by each expert. **Experts not listed in compliance with this paragraph will not be permitted to testify absent a showing of an exception under Rule 193.6.** A Rule 194 disclosure is not a substitute for this filed designation.
 - (a) **Parties seeking affirmative relief** **150 DAYS BEFORE TRIAL**
 - (b) **All other parties** **120 DAYS BEFORE TRIAL**
3. **DISCOVERY RESPONSES:** **90 DAYS BEFORE TRIAL**
By no later than this date, all written discovery responses must be due, all responses and supplements must be completed, and all depositions must be completed, read, and signed.
4. **EXPERT CHALLENGE HEARINGS:** **75 DAYS BEFORE TRIAL**
All challenges to expert witnesses must be set for a hearing to occur by this date. Failure to obtain such a hearing is a waiver of any Rule 702 objection.
5. **SUMMARY JUDGMENTS:** **30 DAYS BEFORE TRIAL**
All such motions shall be set for a submission docket which is no later than this date.
6. **ALTERNATIVE DISPUTE RESOLUTION** **30 DAYS BEFORE TRIAL**
This case is referred for Alternative Dispute Resolution (ADR) under the Court's Standing Order on Alternative Dispute Resolution.

https://www.mctx.org/departments/departments_d_-_f/district_courts/457thdistrict_court.php

ADR shall be completed on or before this date. By Rule 11 agreement filed with the District Clerk, the parties may agree to an ADR date between this date and the trial date so long as ADR is completed before the trial date.

APP0030

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Montgomery County District Clerk
PAGE 1 of 3
February 24, 2022 VW
month day year Initials

7. **MOTIONS FOR CONTINUANCE:**

15 DAYS BEFORE TRIAL

All motions for continuance of the Trial Date **must** be filed at least 15 days before the trial date, except in exigent circumstances, and will be considered by the Court without necessity of submission if they are agreed.

8. **JOINT NOTICE FILING:**

14 DAYS BEFORE TRIAL

All parties will file a SINGLE Joint Notice with the Court, answering:

- (1) Are you ready for trial?
- (2) What is the estimated length of time for trial?
- (3) Do you need a Pre-Trial conference and, if so, why?
 - The Court will take up pre-trial motions in the hour prior to trial. You should request a Pre-Trial conference only if you need more time than that.
- (4) Are there any pending motions? If so, what are they and when were they filed?
- (5) Have the parties mediated? If so, when? If the parties have not mediated, is there mediation scheduled prior to trial?
- (6) Are there any special needs or accommodations for the presentation of the case, including any issues related to the availability of counsel and witnesses?

If there is a disagreement among the parties as to any of these six items, the Joint Notice will state the positions of each of the parties.

ANY PARTY WHO FAILS TO PARTICIPATE IN THE DRAFTING PROCESS WILL BE SUBJECT TO SANCTIONS, INCLUDING DISMISSAL FOR WANT OF PROSECUTION AND A FINDING OF ABANDONMENT OF CLAIMS OR DEFENSES PURSUANT TO TEXAS RULES OF CIVIL PROCEDURE 165 AND 165a.

- If any party does not participate with the Joint Notice, the party or parties filing the Joint Notice shall identify who did not participate.

IF A JOINT NOTICE IS NOT TIMELY FILED, THE COURT WILL PRESUME THAT THE PARTIES HAVE NO FURTHER INTEREST IN PURSUING OR DEFENDING THIS MATTER AND THE COURT WILL DISPOSE OF THIS SUIT BY DISMISSAL FOR WANT OF PROSECUTION AND A FINDING OF ABANDONMENT OF CLAIMS OR DEFENSES PURSUANT TO TEXAS RULES OF CIVIL PROCEDURE 165 AND 165a.

9. **PRE-TRIAL MATERIALS:**

14 DAYS BEFORE TRIAL

By no later than this date, all parties shall exchange with each other and file the following:

- a. **EXHIBIT LIST.** All exhibits to be offered at trial shall be pre-marked and identified by exhibit number on the list, with exhibits served on other parties, but not filed. Any party requiring authentication of an exhibit must file and serve notice of same within 7 days after the exhibit is provided; FAILURE TO DO SO IS AN ADMISSION TO AN EXHIBIT'S AUTHENTICITY. All exhibits which the parties agree to admit shall be admitted into evidence as a first order of business on the trial date. *All Exhibits shall be digital and provided to the Court Reporter. Each exhibit shall not exceed 100MB. Digital Evidence shall be labeled with Exhibit Number or Letter without Description.*
- b. **WITNESS LIST.** All witnesses who are anticipated to be called to testify at trial, including all experts shall be on the Witness List.
- c. **DEPOSITION EXCERPTS.** All deposition excerpts that may be offered at trial *in lieu* of live testimony shall be identified by specific designated pages and line numbers.
- d. **MOTIONS IN LIMINE.** Motions *In Limine* should be specific to the case. Please do not duplicate the items which already appear in the Court's Standing Order *In Limine*.

- e. **JURY CHARGE.** If the trial is to a jury, a proposed jury charge shall be both filed and provided via email to the Court Administrator and Court Coordinator.
- f. **FINDING OF FACT/CONCLUSIONS OF LAW.** If the trial is to the bench, proposed findings of Fact and Conclusions of Law shall be both filed and provided via email to the Court Administrator and Court Coordinator.

10. **PRE-TRIAL CONFERENCE**

THURSDAY BEFORE TRIAL

The Court will set pre-trial conferences based on the Court's own motion or on request of the parties. The Court will notice all Pre-Trial conferences. **Only those parties notified by the Court shall appear.**

11. **TRIAL**

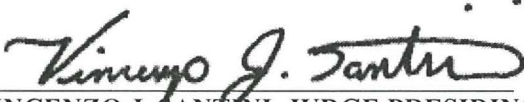
OCTOBER 03, 2022

This case is set for TRIAL on a two-week rolling docket beginning at 9:00 a.m. on the above date. If the case is not assigned by the second Friday following this date, then the case will be reset. **You are instructed to monitor the Court's website to determine at what date and time you should appear:**

https://www.mctx.org/departments/departments_d_-_f/district_courts/457thdistrict_court.php

UNLESS OTHERWISE ORDERED BY THE COURT, THE FOREGOING DATES AS CALCULATED FROM THE TRIAL DATE STATED HEREIN REMAIN THE APPLICABLE DEADLINES FOR THIS CASE EVEN IF THE TRIAL DATE IS RESET AND REGARDLESS OF THE REASON FOR ANY RESET.

Signed on this the 23rd day of February, 2022


VINCENZO J. SANTINI, JUDGE PRESIDING
457th JUDICIAL DISTRICT COURT

Sent to: taylor.hubbard@oag.texas.gov; bcallahan@yettercoleman.com; Mitzie.Garner@oag.texas.gov

State of Texas, County of Montgomery, I, Melisa Miller, District Clerk of Montgomery County, Texas Certify 3 pages in cause no. 22-01-00731 as a true and correct copy of the original record electronically or physically filed in my office, as it appears on this date. Witness my official hand and seal of office, this the 24 day of February, 2022.
Signed Valerie Y. Williams
Clerk or Deputy